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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/523,658	02/04/2005	Olivier A Furon	84268DAN	1193
1333 7590 10/31/2008 EASTMAN KODAK COMPANY PATENT LEGAL STAFF 343 STATE STREET ROCHESTER, NY 14650-2201			EXAMINER NGUYEN, CHAU T	
			ART UNIT 2176	PAPER NUMBER
			MAIL DATE 10/31/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/523,658

Applicant(s)

FURON ET AL.

Examiner

CHAU NGUYEN

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 August 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 08/15/2008 has been entered. Claims 1-13 are pending.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Manico et al. (Manico), US Patent Application Publication No. US 2003/0236716 in view of Yip et al. (Yip), US Patent Application Publication No. US 2003/0128390 and further in view of Alvesalo, US Patent Application Publication No. 2003/0222899.

4. As to independent claim 1, Manico discloses a process adapted to enable an automatic layout of a composite multimedia message on at least one page and an automatic display of said composite multimedia message on a screen of a terminal (Abstract and page 2, paragraph [0020]: digital images or multimedia materials capable

of being presented to the user on a display device (a screen of a terminal)), the process comprising forming the composite multimedia message, forming with programmed formats said composite multimedia message on at least one page, and automatically displaying the at least one page of said composite multimedia message formed on the terminal screen (page 1, paragraph [0005] and page 2, paragraph [0020]: customizing a presentation of a set of digital images provided by a user comprising selecting an initial presentation format criteria for the set of digital images by the user, analyzing the digital images for additional information, providing to the user a first portable electronic storage medium having the set of digital images stored thereon, the images capable of being presented to the user on a display device in accordance with the presentation format based upon the initial selected presentation format criteria).

Manico, however, does not explicitly disclose selecting a number of at least two initial multimedia message, and then from an automatic analysis of the contents of the selected at least two initial multimedia messages, *automatically* forming with programmed formats said composite multimedia message on at least one page but a number of pages less than the number of said at least two selected initial multimedia messages.

In the same field of endeavor, Yip discloses when the user has specified the digital images (i.e., user specifies four images 202, 204, 206 and 208) to be processed, the scalable vector graphics (SVG) page layout logic determines optimal position and maximum number of images that can be laid out on a page using the print page layout format, and the digital images can be still images and/or video images (multimedia)

(page 1, paragraph [0004] and page 2, paragraphs [0023] and [0028]). Yip further discloses the SVG page layout logic is particularly suited for printing a maximum number of specified images on a single page of paper, and if the number of images specified exceeds the maximum number of images that can be printed on a single page, the SVG page layout logic formats the remaining specified images on another page(s) (pages 2-3, paragraph [0028]). Thus, this implies the number of pages are less than the number of the at least selected initial multimedia images.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Yip with Manico to include selecting, from a keyboard of the terminal, a number of at least two initial multimedia message, and then from an automatic analysis of the contents of the selected at least two initial multimedia messages, automatically forming with programmed formats said composite multimedia message on at least one page but a number of pages less than the number of said at least two selected initial multimedia messages. Yip suggests that the SVG page layout logic employs the position feature inherent in the SVG format to efficiently and effectively position and/or orient the images on a print page layout suitable for printing.

Manico discloses user selecting an initial presentation format criteria for the set of digital images (Abstract), thus this implies the teaching of manually selecting. However, Manico and Yip do not explicitly disclose manually selecting from the terminal keyboard.

Alvesalo discloses a method relating to creating a multimedia show includes a multimedia mobile terminal acts as a control panel for creating the multimedia show, and the mobile terminal includes button of the keyboard which is defined as an activation button for activating the components of the template (page) so the user can select desired pictures (Abstract and pages 2-3, paragraph [0026]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Alvesalo with Manico and Yip to include the step of manually selecting from the terminal keyboard for the purpose of allowing user to form the structure of the multimedia show.

5. As to dependent claim 7, Manico and Yip, however, do not explicitly disclose characterized in that the display of several pages is performed by displaying successively said pages on the screen of the terminal manually from the keyboard, or automatically according to a set display time.

Alvesalo discloses the user of a multimedia mobile terminal creates a multimedia show by using templates (pages), and the user can select content components into the templates that are the structure of the multimedia show (Abstract). Alvesalo also discloses templates (pages) may contain options to either adjust the time allocated for specific components, or to constrain such components within the template predefined time period (page 2, paragraph [0024]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Alvesalo with Manico and Yip to

include the display of several pages is performed by displaying successively said pages on the screen of the terminal manually from the keyboard, or automatically according to a set display time. Alvesalo suggests that the durations of the template (page) components may be adjustable so the user can define the duration of each component.

6. Claims 2-6 and 8-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Manico, Yip and in view of Alvesalo as discussed in claims 1 and 7 above, and further in view of Salmi et al. (Salmi), European Patent Application No. EP 1117230 A2.

7. As to dependent claim 2, Manico discloses the processing further comprising:

- a) manually displaying a plurality of initial multimedia messages on the screen of the terminal (Abstract: selecting an initial presentation format criteria for the set of digital images by the user);
- b) manually selecting at least two initial multimedia messages from the plurality of said displayed initial multimedia messages (Abstract: selecting an initial presentation format criteria for the set of digital images);
- c) manually validating the selection made in step b) (page 3, paragraph [0023]: the user submits images and/or other multimedia materials and a selection of presentation formats to the service provider);
- d) automatically analysing and recording sequential data of the at least two selected initial multimedia messages (Abstract and page 1, paragraph [0005]; page 3, paragraph [0023]: analyzing the digital images for additional information, and the additional

information may be used to group the images in the first presentation in a particular order);

e) automatically analysing and recording semantic data of the at least two selected initial multimedia messages (page 1, paragraph [0007]: analyzing the digital images for semantic information, and providing the digital images in association with a first presentation format that can be view by the user, the format automatically selected in accordance with the semantic information);

f) automatically analysing and recording relational data between the at least two selected initial multimedia messages (page 1, paragraphs [0005]-[0006]: selecting an initial presentation format criteria for the set of digital images by the user, analyzing the digital images for additional information);

g) automatically determining, according to recorded sequential, semantic and relational data, at least two transformed multimedia messages corresponding respectively to the selected at least two initial multimedia messages (page 1, paragraphs [0005]-[0007]: providing the digital images in association with a first presentation format that can be viewed by the user, the format selected in accordance with the initial selected presentation format criteria and the analysis of the additional information such as sequential, semantic and relational);

h) automatically laying out on at least one page having first format, a composite multimedia message formed from the at least two transformed multimedia messages (page 1, paragraph [0008]: the at least one digital image capable of being presented to a user on a display device);

j) manually validating, from the terminal keyboard, the display of the composite multimedia message (page 3, paragraph [0023]: the user submits images and/or other multimedia materials and a selection of presentation formats to the service provider).

Manico discloses user selecting an initial presentation format criteria for the set of digital images (Abstract), thus this implies the teaching of manually selecting. However, Manico does not explicitly disclose manually selecting from the terminal keyboard.

Alvesalo discloses a method relating to creating a multimedia show includes a multimedia mobile terminal acts as a control panel for creating the multimedia show, and the mobile terminal includes button of the keyboard which is defined as an activation button for activating the components of the template (page) so the user can select desired pictures (Abstract and pages 2-3, paragraph [0026]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Alvesalo with Manico to include the step of manually selecting from the terminal keyboard for the purpose of allowing user to form the structure of the multimedia show.

However, Manico and Alvesalo do not explicitly disclose

i) automatically displaying the composite multimedia message on the terminal screen while keeping a dimensional ratio of the first format;

Salmi discloses a method and system for presenting information in a multimedia terminal includes setting up a multimedia page to a desired format such as a multimedia page comprises picture placed in the middle of the page, and above the picture a text

line as shown in Fig. 6a. Salmi discloses the multimedia page includes presentation parameters such as width and height (dimensional ratio) of the display field Salmi also discloses that the multimedia page is then compiled to form a multimedia file which is used to store information about the components which it contains as well as a model for presenting the components in a desired way in the multimedia terminal of receiver (page 5, lines 4-50).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Salmi with Manico and Alvesalo to include automatically displaying the composite multimedia message on the terminal screen while keeping a dimensional ratio of the first format for the purpose of indicating in which location on the page the picture and text can be found.

8. As to dependent claim 3, Manico discloses characterized in that the step of automatically analysing and recording of semantic data is performed before the step of automatically analysing and recording of sequential data (page 2, paragraphs [0005]-[0007] and page 3, paragraph [0023]).

9. As to dependent claim 4, Manico discloses characterized in that each of the at least two transformed multimedia messages is identical in overall content to a corresponding one of the selected initial multimedia messages (page 1, paragraph [0008]: the at least one digital image capable of being presented to a user on a display device).

10. As to dependent claim 5, Manico discloses characterized in that the first format is selected manually (page 1, paragraphs [0005]-[0007]).

However, Manico does not explicitly disclose manually selecting from the terminal keyboard.

Alvesalo discloses a method relating to creating a multimedia show includes a multimedia mobile terminal acts as a control panel for creating the multimedia show, and the mobile terminal includes button of the keyboard which is defined as an activation button for activating the components of the template (page) so the user can select desired pictures (Abstract and pages 2-3, paragraph [0026]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Alvesalo with Manico to include the step of manually selecting from the terminal keyboard for the purpose of allowing user to form the structure of the multimedia show.

11. As to dependent claim 6, Manico discloses characterized in that automatically determining of the at least two transformed multimedia messages is performed also using analysis rules that depend on a context linked to each of the selected two multimedia messages (page 1, paragraphs [0005]-[0007]).

12. As to dependent claim 8, Manico discloses characterized in that it also comprises, after the automatic display of the composite multimedia message, the steps of:

b) automatically laying out the composite multimedia message on at least one page having a second format different than the first format (page 1, paragraph [0008]);

c) automatically displaying the composite multimedia message on the screen of the terminal (Abstract: digital images (multimedia message) capable of being presented to the user on a display device (a screen of a terminal)).

However, Manico does not explicitly disclose manually invalidating, from the terminal keyboard, the display of the composite multimedia message.

Alvesalo discloses a method relating to creating a multimedia show includes a multimedia mobile terminal acts as a control panel for creating the multimedia show, and the mobile terminal includes button of the keyboard which is defined as an activation button for activating the components of the template (page) so the user can select desired pictures (Abstract and pages 2-3, paragraph [0026]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Alvesalo with Manico to include the step of manually selecting from the terminal keyboard for the purpose of allowing user to form the structure of the multimedia show.

13. As to dependent claim 9, Manico, however, does not explicitly disclose characterized in that the invalidation is performed (n) times, (n) being a number of

available different formats enabling layout of the composite multimedia message to be performed.

Alvesalo discloses the user of a multimedia mobile terminal creates a multimedia show by using templates (pages), and the user can select content components into the templates that is the structure of the multimedia show (Abstract). Alvesalo also discloses templates (pages) may contain options to either adjust the time allocated for specific components, or to constrain such components within the template predefined time period (page 2, paragraph [0024]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Alvesalo with Manico to include the invalidation is performed (n) times, (n) being a number of available different formats enabling layout of the composite multimedia message to be performed. Alvesalo suggests that the durations of the template (page) components may be adjustable so the user can define the duration of each component.

14. As to dependent claim 10, Alvesalo discloses characterized in that (n) is an integer between one and ten (Alvesalo, page 2, paragraph [0024]: since templates may contain options to either adjust the time allocated for specific components, it would have been obvious to one of ordinary skill in the art to acknowledge that the user can set the time any where from one to ten).

15. As to dependent claim 11, Manico discloses characterized in that at least one of the selected initial multimedia messages comprises a digital image (Abstract).

16. As to dependent claims 12-13, Manico, however, does not explicitly disclose characterized in that at least one of the selected at least two initial multimedia messages comprises a digital image and at least one text message and audio data.

Alvesalo discloses a method for creating a multimedia show comprising user selecting content components into the template that is the structure of the multimedia show, and the content components are video clips, audio clips, text, and images (Abstract).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Alvesalo with Manico to include the selected initial multimedia message comprises a digital image and at least one text message and audio data for the purpose of providing a solution for the users of the multimedia mobile terminals to create a number of different multimedia shows with different advanced features.

Response to Arguments

In the remarks, Applicant(s) argued in substance that

Manico does not disclose or suggest a process adapted to enable an automatic layout of a composite multimedia message from a selection of at least two initial multimedia messages, or automatically analyzing the contents of the at least two selected initial multimedia messages to automatically layout with programmed formats the composite multimedia message on a number of pages less than the number of initially selected multimedia messages.

In reply to argument A, Applicant's arguments with respect to the limitations "a process adapted to enable an automatic layout of a composite multimedia message from a selection of at least two initial multimedia messages, or automatically analyzing the contents of the at least two selected initial multimedia messages to automatically layout with programmed formats the composite multimedia message on a number of pages less than the number of initially selected multimedia messages" have been considered but are moot in view of the new ground(s) of rejection under the new reference Yip (see the rejection above for claim 1).

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chau Nguyen whose telephone number is (571) 272-4092. The examiner can normally be reached on 8:30 am – 5:30 pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton, can be reached on (571) 272-4137. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. On July 15, 2005, the Central Facsimile (FAX) Number will change from 703-872-9306 to 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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/Rachna S Desai/
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